

1 **RYLEY CARLOCK & APPLEWHITE**

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4 T. Brent Galligan

Attorney for Plaintiff, Maureen Gaughan, Chapter 7 Trustee

6 **IN THE UNITED STATES BANKRUPTCY COURT**

7 **FOR THE DISTRICT OF ARIZONA**

8
9 *In re:*

10 **CHARLES THOMAS BROWN d/b/a TOM**
BROWN PREFERRED TRUST COMPANY,

11 Debtor

12 **MAUREEN GAUGHAN, Chapter 7 Trustee,**

13 Plaintiff

14 v.

15 **ANN AKAMINE; et al.**

16 Defendants

Proceedings Under Chapter 7

No. 97-14228-PHX-GBN

Adversary Proceeding No.: 99-00746

**AFFIDAVIT IN SUPPORT OF PLAINTIFF'S
THIRD APPLICATION FOR ENTRY OF
DEFAULT**

18 **T. BRENT GALLIGAN**, first being duly sworn, states as follows:

19 1. I am the attorney for Plaintiff, Maureen Gaughan, Chapter 7 Trustee, and file this
20 Affidavit to comply with Rule 7055, Federal Rules of Bankruptcy Procedure.

21 2. The following Defendants against whom a Judgment for affirmative relief is sought,
22 have failed to plead or otherwise defend as provided for by the Federal Rules of Bankruptcy Procedure:
23 Cecilia Chandler, Charles A. Hill, Robert E. Knoll, Kay S. Knoll, Loretta Kobashi, Claude Petty, Bridget
24 Petty, and Jerry Raynor.

25 3. Since the service of a copy of the Summons and Complaint, the Plaintiff has granted
26 numerous extensions to the "non-answering" Defendants which was further extended by the Court's entry

1 of the Standing Procedural Order on April 21, 2000. The date in which the Court extended the date for the
2 non-answering Defendants to file an Answer or otherwise defend in connection with this action, May 31,
3 2000, has passed.

4 Wherefore, affiant requests that Default be entered against the non-answering Defendants as
5 identified herein.

6 DATED this 20th day of December, 2000.

8 RYLEY, CARLOCK & APPLEWHITE, P.A.

9
10 By: *T. Brent Galligan*
11 T. Brent Galligan
12 101 N. First Avenue, Suite 2700
13 Phoenix, Arizona 85003-1973
14 Attorney for Plaintiff, Maureen Gaughan,
Chapter 7 Trustee

15 STATE OF ARIZONA)
16) ss.
17 County of Maricopa)

18 On this 20th day of December, 2000, before me, the undersigned officer, personally appeared T.
19 Brent Galligan, whose signature appears above, known to me (or satisfactorily proven) to be the person
20 whose name is subscribed to the within instrument, and acknowledged to me that this instrument was
21 executed for the purposes herein contained.

22 IN WITNESS WHEREOF, I have hereunto set my hand and official seal.



Janet L. Reynolds
NOTARY PUBLIC